

PATENT
Attorney Docket No.: 46884-5400

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Yukinobu SUGIYAMA et al.)	
)	
U.S. Application No.: 10/543,016)	Confirmation No.: 2445
)	
Filed: July 22, 2005)	Examiner: Unassigned
)	
For: OPTICAL SENSING DEVICE)	

Commissioner of Patents
MAIL STOP PCT

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. § 371 IN THE U.S. DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. This replies to the Notification of Missing Requirements (Form PCT/DO/EO/905) mailed December 15, 2005.

A copy of the Notification of Missing Requirements (Form PTC/DO/EO/905) is enclosed.

2. Declaration Or Oath

- ☒ No declaration or oath was filed. Enclosed is the original Combined Declaration and Power of Attorney.
- ☒ The specification attached to the declaration is a copy of the specification and any amendments thereto which were filed in the PTO to obtain the filing date.
- ☐ The declaration or oath which was filed was determined to be defective. A new original Combined Declaration and Power of Attorney is attached.

3. English Translation of Non-English Language Papers

- ☐ Submitted herewith is a verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO.
- ☐ Also enclosed is the Verification of Translation Document

4. Small Entity Statement(s)

☐ Applicant(s) hereby assert small entity status.

5. Fee Calculation

Basic National Stage Fee:				Previously Paid
\$300.00				
	Number Filed	Number Extra	at a Rate of	
Total Claims	10 - 20 =	0	\$50.00 each=	\$0.00
Independent Claims	2 - 3 =	0	\$200.00 each=	\$0.00
Multiple dependent claim(s), if any			\$360.00	\$0.00
Missing Requirements Surcharge Fee			\$130.00	Previously Paid
Application Size Fee \$250.00 for each additional 50 sheets that exceeds 100				Previously Paid
Application Search Fee			\$500.00	Previously Paid
Examination Fee			\$200.00	Previously Paid
SUB-TOTAL =				\$0.00
Fee For Application Filed With A Non-English Specification (37 C.F.R. § 1.17(k) and § 1.52(d))			\$130.00	\$0.00
Fee For Processing and retention of application (37 C.F.R. § 1.21(l) and § 1.53(d))			\$130.00	\$0.00
TOTAL FILING FEE =				\$0.00

6. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☐ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. §§ 1.17(a)-(d), for the total number of months checked below:

	<u>Total Months Requested</u>	<u>Extension Fee</u>	<u>Extension Fee [Small Entity]</u>
<input type="checkbox"/>	One month	\$120.00	\$60.00
<input type="checkbox"/>	Two months	\$450.00	\$225.00
<input type="checkbox"/>	Three months	\$1,020.00	\$510.00
<input type="checkbox"/>	Four months	\$1,590.00	\$795.00
<input type="checkbox"/>	Five months	\$2,160.00	\$1,080.00

Extension of time fee due with this request: \$_____

If an additional extension of time is required, please consider this a Petition therefor.

- ☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

7. Fee Payment

The total fee due is:

Completion Fees	\$0.00
Assignment Fees	\$40.00
Total Fee Due	\$40.00

- ☒ A check in the amount of \$40.00 to cover the above fees is enclosed

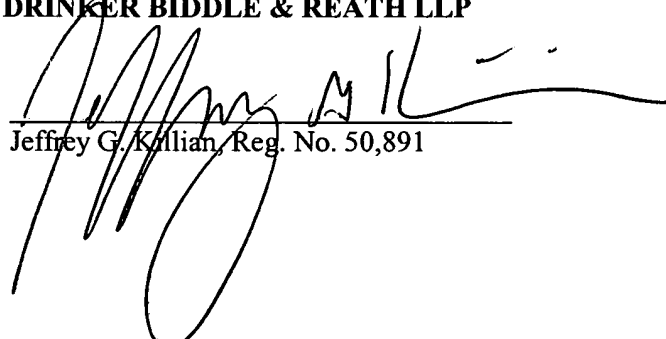
- ☐ The Commissioner is hereby authorized to charge the total fee due to Deposit Account 50-0573.
- ☒ **Except** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §1.16 and §1.17 which may be required, or credit any overpayment to Deposit Account No. 50-0573.

8. Additional papers enclosed.

- ☒ Preliminary Amendment
- ☒ Submission of Replacement Drawings (3 sheets - Figs. 21, 28 and 29)
- ☒ Form PCT/IB/308 (First and Second Notices)
- ☒ PCT/IB/338 English translation of the International preliminary Examination Report
- ☒ PCT/IB/373
- ☒ PCT/ISA/237
- ☒ PCT/ISA/210 (International Search Report dated April 22, 2004)
- ☒ Information Disclosure Statement
- ☒ Form PTO-1449, 4 non-US patent documents as listed
- ☒ Assignment Recordation Cover Sheet (PTO Form-1595)
- ☒ Assignment of the invention to Hamamatsu Photonics K.K.

Respectfully submitted,

DRINKER BIDDLE & REATH LLP


Jeffrey G. Killian, Reg. No. 50,891

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PATENT
ATTORNEY DOCKET NO.: 46884-5400

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Yukinobu SUGIYAMA, et al.) Examiner: Unassigned
Application No.: 10/543,016) Confirmation No.: 2445
(National stage of PCT Application No.)
PCT/JP04/000537 filed January 22, 2004))
Filed: July 22, 2005)
For: OPTICAL SENSING DEVICE)

Commissioner for Patents
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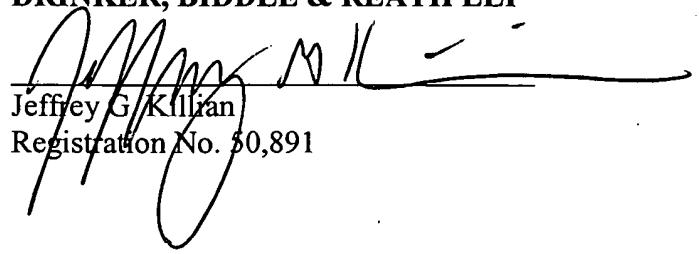
SUBMISSION OF REPLACEMENT DRAWINGS

Filed herewith are three (3) replacement sheets of drawings containing Figures 21, 28, and 29. These replacement sheets of drawings are submitted to improve the form of these drawings. It is requested that these drawings be approved and made part of the official record in the above-identified patent application.

If there are any fees due in connection with the filing of these drawings, the Commissioner is hereby authorized to charge any additional fees due to Deposit Account No. 50-0573.

Respectfully submitted,

DRINKER, BIDDLE & REATH LLP


Jeffrey G. Killian
Registration No. 50,891

Dated: February 15, 2006

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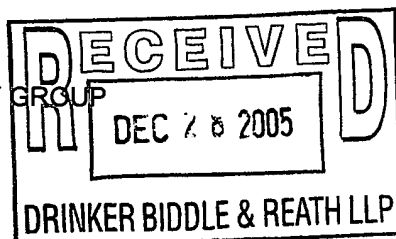
UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/543,016	FIRST NAMED APPLICANT Yukinobu Sugiyama	ATTY. DOCKET NO. 046124-5400
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23973

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INTERNATIONAL APPLICATION NO.

PCT/JP04/00537

I.A. FILING DATE

01/22/2004

PRIORITY DATE

01/24/2003

CONFIRMATION NO. 2445

371 FORMALITIES LETTER



OC000000017638237

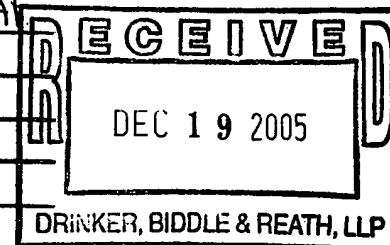
Date Mailed: 12/15/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 07/22/2005
- English Translation of the IA filed on 07/22/2005
- Copy of the International Search Report filed on 07/22/2005
- U.S. Basic National Fees filed on 07/22/2005
- Priority Documents filed on 07/22/2005
- Specification filed on 07/22/2005
- Claims filed on 07/22/2005
- Abstracts filed on 07/22/2005
- Drawings filed on 07/22/2005

Docketed 12/15/05 Attorney JGS PAK
Case 4624-5400
Due Date 2/15/06
Action Oath/Dec/Fees
By [Signature] Chk _____



The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice **MUST** be returned with the response.

INDIA L EVANS

Telephone: (703) 308-9140 EXT 212

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/543,016	PCT/JP04/00537	046124-5400

FORM PCT/DO/EO/905 (371 Formalities Notice)